



TOWN OF BEAUX ARTS VILLAGE

PLANNING COMMISSION

MINUTES

July 20, 2006

Donoghue

Present: Acting Chairman John Chihak, Commissioners Karen Scott, Jake Donoghue, Dennis Casey, Gordon Roberts

Guests: Town Planner Mona Green, Andy Stefan, Helen Lewis, Sylvia Hobbs, Julia Morse

Deputy Clerk: Betsy Donworth

Acting Chairman Chihak called the meeting to order.

Minutes: Minutes of June 17, 2006 meeting were approved.

Public Hearing: Minor Structural Elements in Setbacks:

The proposed Section 8.H of the Zoning Code Ordinance (No. 333) would be amended to read (ADDITION IN CAPS)

H. The following structures may be allowed within setback areas: fences; retaining walls; rockeries up to thirty (30) inches tall; ornamental landscape structures up to thirty (30) inches tall, including ornamental pools of any depth provided they comply with safety regulations stipulated in Ordinance 187; garden trellis gates up to eight (8) feet tall; **EAVES OR ROOF OVERHANGS UP TO EIGHTEEN (18) INCHES IN DEPTH; CHIMNEYS UP TO EIGHTEEN (18) INCHES IN DEPTH AND NO LONGER THAN 25% OF THE LENGTH OF THE BUILDING FACADE.**

Andy Stefan spoke out against the proposed change. He stated that in 1992 the Beaux Arts zoning code was changed, increasing property setbacks, for the purpose of protecting open space. Beaux Arts is at great risk of having this zoning challenged due to increased development. 10 feet should be the minimum side setback, and property owners can have architectural latitude with a 10 foot setback. Villagers should do all they can to protect open space in the Village.

Sylvia Hobbs spoke out against the proposed change (letter attached). She summarized why such a change in the setback ordinance is not necessary or safe, feeling that the variance process should be used for homeowners who wish to build such intrusions. She further cited fire safety as a reason for not allowing intrusions in the setbacks, as well as aesthetics.

Helen Lewis spoke out against the proposed modifications, agreeing with the reasoning presented by Andy Stefan and Sylvia Hobbs.

Julia Morse spoke out against the proposed modifications, adding that the Village made a commitment for a certain footprint and that the Village should keep this commitment. She agreed that the variance process should be used for homeowners who need special consideration for their building design.

Gail d'Alessio's letter in opposition to the modifications was read into the record. (see attached).

Karen Scott stated that the proposed modifications do not compromise space between structures. It does provide weatherproofing, and if a homeowner is working towards obtaining the maximum allowable living space, allowing eaves and chimneys in the setbacks will increase creative architecture, as opposed to designing a box.

Dennis clarified the requirement that 10 feet of setback is required in order to allow eaves in the setbacks - it can't be done with less.

Discussion focused on the need for this modification, based on how many homeowners have requested variances for this type of intrusion. There has not been much history of this type of request. There was some discussion on how to be more creative in the approach to this modification.

With no further questions or discussion, the Public Hearing was closed.

Following discussion, the Planning Commissioners agreed on the following language for a zoning code amendment:

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INCHES IN DEPTH AND NO LONGER THAN 25% OF THE LENGTH OF THE BUILDING FACADE.

Adjourn: Acting Chairman Chihak adjourned the meeting.

Respectfully submitted,

Betsy Donworth
Deputy Town Clerk